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C O N F I D E N T I A L SECTION 01 OF 03 QUITO 000894

SIPDIS

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TAGS: [PGOV](#) [PREL](#) [ASEC](#) [EC](#)

SUBJECT: ECUADOR: INITIAL CONTACTS WITH NEW GOVERNMENT

Classified By: Amb. Kristie A. Kenney for reasons 1.4 (b) and (d)

¶1. (C) Summary: Initial contacts indicate that the Palacio government is greatly concerned about possible OAS actions and seeks USG recognition, and would welcome a visit by an OAS delegation. They are also intimidated by the very forces of popular discontent that brought them into office, and therefore leery of granting safe passage for former president Gutierrez to depart the country. DCM attended the FM Parra's briefing of diplomats from OAS nations on April 21. PolChief met separately with Minister of Government Gandara and Presidential Secretary for Administration Herreria on April 21. End Summary.

Foreign Minister Defends Legitimacy

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¶2. (C) The MFA convoked OAS-member state representatives to an April 21 briefing with Palacio's Foreign Minister, Antonio Parra. OAS member states in attendance included Canada, Venezuela, Mexico, Costa Rica, El Salvador, Guatemala, Peru, Chile, Argentina, Colombia, Honduras, DR, Panama and the US. The OAS rep in Quito, former Paraguayan Senator Carlos Maria Ocampo, also attended. Notably absent from the gathering was the Brazilian Ambassador (who has ex-President Gutierrez staying at his residence). Parra greeted everyone warmly, especially the Venezuelan whom he regaled with stories about his father's and his tours as Ambassadors in Caracas years ago.

¶3. (C) Parra explained his purpose was to offer the official GOE explanation of the confused political situation. He claimed Gutierrez set destabilizing events in motion on December 8, 2004, when he blatantly violated the constitution by firing the Supreme Court. He alleged that Gutierrez continued to violate the Constitution with other unspecified acts, culminating in his lawful removal from office after a justified popular uprising. He offered that several countries appeared confused by the Ecuadorian congressional ruling that Gutierrez had "abandoned" his office, and expressed frustration that some countries were concerned about the constitutionality of succession mechanism. Parra said he was concerned that friendly nations of the hemisphere had not expressed support for Ecuador, which wanted friendly, productive relations. He said he had spoken with several Foreign Ministers, singling out the Peruvian FM, to clarify the facts.

¶4. (C) Parra made repeated references to Bolivia in defending GOE actions, implying that Bolivia was the precedent for recent action in Ecuador. He rhetorically asked how friendly countries could doubt Ecuador's commitment to democracy; surely it was all a misunderstanding. Gutierrez's "abandonment" of office need not be literal (physically still in office when Congress voted him out). Gutierrez had most certainly abandoned democracy, the constitution and his responsibility to uphold law and order. Ecuadorian authorities could not let the capital city explode while standing by doing nothing.

¶5. (C) Parra said that a distinguished group of jurists from Ecuador would make Ecuador's case on April 22 before the OAS Permanent Council. They are: constitutional expert Gil Barragan Romero; former FMs Edgar Teran and Mario Aleman; and former Vice President Blasco Penaherrera. (Comment: The latter three are well known lawyers who are very slick and talk a pro-American game. However, their actions are often at odds with their professed American sympathies. They come from the established political classes, viewed Gutierrez as an upstart, and refused even to talk to him from the outset of his mandate.)

¶6. (C) OAS Rep. Ocampo was the only member of the invited group to offer his views. He requested of Parra an official written communique clarifying with "precision" Ecuador's actions for tomorrow's OAS meeting. He noted there were many questions remaining about constitutionality of congressional action to unseat Gutierrez. Parra said the press had misrepresented the facts, confusing everyone, and undertook to get Ocampo an official position paper tomorrow. The meeting adjourned after 30 minutes.

Minister of Government Concerned about Stability

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¶7. (C) PolChief met with Minister of Government Mauricio

Gandara on April 21. The USG has not come to a decision on recognition, he told Gandara, but would like to open a dialogue with key GOE officials. We have enjoyed good cooperation with Gandara's predecessors on security issues of mutual interest, and would hope to engage on those issues once the situation stabilized.

18. (C) Gandara welcomed the contact, and expressed concern about Secretary Rice's reported statement encouraging early elections in Ecuador and possible OAS actions against Ecuador. PolChief clarified that Secretary Rice did not directly call for early elections and encouraged Gandara to review the text of her comments. The OAS is naturally concerned about the instability in a member country; would Ecuador be open to a high-level OAS visit, should it be offered? Gandara replied adamantly "of course we would."

19. (C) The irregular transfer of power from President Gutierrez to Palacio "had its legal aspects," Gandara said, but the political reality facing Ecuador was that there is no going back to Gutierrez. He had attended the rebel Congress session which swore in Palacio, and been sequestered with Palacio and the Congress by the enraged crowd outside. Formerly peaceful protests had been infiltrated by extreme leftist elements, he said, which physically threatened him and even the new president. Should Gutierrez somehow be allowed to return to the political scene, these protesters would react violently. For this reason, international recognition is essential to the legitimacy of the Palacio government.

10. (C) Asked about his near-term agenda, Gandara said he would meet with the leader of the main indigenous organization (CONAIE), Luis Macas, next to seek their support. With the support of the congressional factions which dismissed Gutierrez, the government would prepare a bill to introduce to Congress on April 26 to name a Supreme Court, and overturn the illegitimate Constitutional and Electoral tribunals. Gandara expressed confidence that by then, the uncertain situation would be substantially calmer.

11. (C) Belying his reputation as a fierce nationalist and critic of the U.S. on certain issues, Gandara spoke in general, conciliatory terms, saying "we agree with the U.S. on our goals, but sometimes differ on methods only." Gandara went on to emphasize that he had warm feelings for the people of the U.S. and respect for the U.S. political system. He cited as an example how impressed he was, when invited by the Ambassador to meet visiting U/S Bolton at her residence last year, that the U.S. would want to hear from its critics as well as its friends on divisive issues.

Pres Admin Sec Cites Mutual Interests

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12. (C) On April 22, PolChief met with Administrative Secretary General Luis Alberto Herreria, who also made a

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pitch for OAS and USG recognition. Asked whether the GOE would provide safe conduct for President Gutierrez, Herreria denounced Gutierrez' links to Venezuelan President Chavez, through Col. Patricio Acosta (who was fired by Gutierrez). The new government rejects the Chavez-Castro-Lula axis, he said, and would firmly oppose any further Chavez inroads in Ecuador. The Brazilian offer of asylum for Gutierrez presented the new government with a quandry--should the government provide safe conduct, Herreria said with alarm, "they (the protesters who brought Gutierrez down) would burn down this national palace the same day." To emphasize how reluctant the government is to confront protesters of any sort, Herreria credited the new government with allowing a protest outside the palace on April 21, even when military intelligence sources indicated that the small group (of approximately 50) had been organized by Gilmar Gutierrez, the brother of the former president.

13. (C) PolChief noted that safe conduct is a provision of international law and the GOE might consider the signals it was sending at this sensitive time. Similarly, on the economic front, it would be wise to carefully consider the messages being sent to the business community. One example affected a key USG interest--resolution of commercial disputes. Any expropriation of U.S. firms such as Occidental Petroleum would seriously damage our economic relationship. Herreria said he was concerned by rash public statements by new Finance Minister Correa and implied that he would raise his concerns in the Cabinet meeting scheduled the same day. Herreria also mentioned his own connections to the U.S.--a warm relationship with a former Guayaquil CG, a month-long IV program visit to the U.S. in the 1980's, and deep respect for the U.S. political system.

Comment

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¶14. (C) Though the atmospherics of these initial contacts has been warm and friendly, the Palacio government is clearly concerned about its own survival. The GOE intensely craves international community affirmation of this government's legitimacy, and is intimidated by the popular forces which brought them into office. Gandara, a fierce nationalist critic of the U.S. on a host of issues (boat sinkings, the Manta CSL, Occidental Petroleum dispute) was at his warmest, citing the Ambassador's natural charm and his warm feelings for the U.S. at length. Herreria emphasized his own links to the USA, through contact with CG Guayaquil and participation on a US-funded IV program in the '80s, and strenuously invoked the spectre of Chavez to sway us toward recognition.

KENNEY